



United States
Department of
Agriculture

Forest
Service

Region One

Northern Region
200 East Broadway
Missoula, MT 59802

File Code: 1570-1 (215)

#08-01-00-0078

Date: December 6, 2007

Todd J. Malin
1018 1st Avenue NW
Great Falls, MT 59404

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Dear Mr. Malin:

I have received your appeal of the Little Belt, Castle, and Crazy Mountains Travel Management Plan Record of Decision on the L&C National Forest.

Regretfully, I must dismiss your appeal as being untimely. The L&C Forest Supervisor's decision was published October 12, 2007. Your appeal was postmarked November 30, 2007, which is 49 days after the decision. Appeal regulations require filing an appeal within 45 days of publication of the decision. The 45-day period for filing an appeal cannot be extended.

Appeal Regulation 36 CFR 215.16(a)(1) states, "A Reviewing Officer shall dismiss an appeal without review when: (1) The appeal is not postmarked ... within the 45-day appeal filing period...."

This decision is the final determination of the Department of Agriculture and is not subject to higher level review [36 CFR 215.18(c)].

Sincerely,

/s/ Ray G. Smith (For)
KATHLEEN A. MCALLISTER
Appeal Deciding Officer

cc:
L&C NF

